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May 30, 2013

VIA ECF

Hon. Leonard D. Wexler
United States District Court for the
Eastern District of New York
944 Federal Plaza
Central Islip, New York 11722

Re: Friedmann v. Raymour Furniture et al.,
12 CV 1307 (LDW)(AKT)

Dear Judge Wexler:

This is a time-sensitive communication. We represent the Plaintiff in the above-referenced action wherein the Plaintiff was terminated due to his age and disability.

Pursuant to § 1.E. of the Court's August 4, 2011 Amended Rules and in connection with Plaintiff's letter to the Court submitted by ECF on Tuesday, May 28, 2013 (Docket Entry 60), Plaintiff respectfully renews his request for an extension (to Friday, June 14, 2013) to oppose Defendant's Motion for Summary Judgment, which has not yet been docketed as it is not fully briefed.

The reasons for Plaintiff's request are manifold: (i) Plaintiff is unable to properly oppose Defendant's Motion without the production of documents that he requested in his Tuesday, May 28 letter; (ii) pursuant to FED. R. CIV. P. 56(d), Plaintiff is not able to present facts essential to justify his opposition without Defendant's production of documents that Plaintiff has been requesting since 2012; and (iii) Plaintiff's counsel and his lead paralegal, both of whom attended Court May 21, have fallen ill with a cold and are striving to meet multiple deadlines this week.

Therefore, Plaintiff respectfully requests that the Court grant:

- (i) Until Friday, June 14, 2013 to oppose Defendant's Motion for Summary Judgment (the current deadline is tomorrow, May 31); and
- (ii) Until Friday, June 28, 2013 for Defendant to submit a reply (currently due June 14);

No previous extensions for the above deadlines have been granted. Defendant does not consent as so stated before Your Honor as well as in prior correspondence with Plaintiff.

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We thank the Court for its time and attention to this matter.

Respectfully submitted,
THE HARMAN FIRM, PC

s/

Peter J. Andrews [PA-3295]

cc: Tara E. Daub, Esq. (via ECF)
Jessica Chiclacos, Esq. (via ECF)
Walker G. Harman, Jr. (via ECF)